

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF PENNSYLVANIA

FILED
SCRANTON

APR 13 2023

JEREMY BAILEY

Plaintiff

PER

DEPUTY CLERK

NO. 1:20-CV-1836

v.

Judge Kane

LIEUTENANT YODER

SERGEANT R. BAITUK

W/O DERR

W/O ANTHONY

Defendants

Plaintiff Reply Brief in opposition to the
Defendant further Request For an Evidentiary
Hearing on the issue of Exhaustion of
Administrative Remedies

Plaintiff, pro se, hereby file this reply brief in opposition
to the defendant's further request for an evidentiary
hearing on the issue of plaintiff exhaustion of
administrative remedies.

On October 1, 2020, plaintiff initiated the case through
the filing of a Complaint pursuant to 42 U.S.C. § 1983,
which the Court received and docketed on October 7,
2020, along with copies of the plaintiff initial

Grievance Exhaustion

Defendant essentially urges this Court to schedule an exhaustion hearing in this matter because they alleged the plaintiff did not exhaust his administrative remedies.

On October 27, 2021, plaintiff subsequently sought leave to amend the Complaint, the Court granted that request in which the plaintiff again sent copies of the initial grievance exhaustion to the Court and the defendant.

In that initial grievance procedure process of the full exhaustion, the plaintiff have provided the grievance Coordinator with such events that took place and the acknowledgement of the defendant's violating the plaintiff Constitutional rights such as the 14th and 8th amendment of the UNITED STATES CONSTITUTION. The plaintiff have requested monetary damages of \$100,000 which the grievance Coordinator denied the request and the grievance was upheld to the final exhaustion level.

The plaintiff request the Court to deny the defendant's request for an evidentiary hearing.

The defendant's have access to the prison records,

which the defendants can easily receive copies if the defendants requested them.

The defendants have not followed up with any of these concerns at the time of the motion of Summary Judgment, and plaintiff believe the defendants only wishes to hold the Court up from scheduling trial.

The plaintiff at this point incarcerated, and do not have his own documents to provide the copies to the defendants.

The plaintiff request the Court to deny defendants request for evidentiary hearing.

Jeremy Bailey # 104262
D.C.P.
501 Mall Rd
Harrisburg pa 17111

NAME Jeremy Bailey # 104262
D.C.P.#
DAUPHIN COUNTY PRISON
501 MALL ROAD
HARRISBURG, PA 17111-1299

RECEIVED
SCRANTON

APR 13 2023

PER [Signature] DEPUTY CLERK

Confidential

Office of the Clerk
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
235 NORTH WASHINGTON AVENUE
P.O. Box 1148
SCRANTON, PA 18501-1148

18501-500199

